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Situation concerning Western Sahara

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2414 (2018), by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 October 2018 and requested me to submit a report on the situation in Western Sahara before the end of the mandate period. It covers developments that have occurred since the issuance of my previous report, of 29 March 2018 (S/2018/277), and describes the situation on the ground, the status and progress of the political negotiations on Western Sahara, the implementation of resolution 2414 (2018) and the existing challenges to the Mission's operations and steps taken to address them.

II. Recent developments

2. During the period since the issuance of my previous report, overall calm has prevailed throughout the Territory on both sides of the berm, although the previously reported underlying tensions between the parties (ibid., para. 3) continue.

3. On the political front, my Personal Envoy for Western Sahara, Horst Koehler, has stepped up efforts to advance the political negotiations between the parties. Following the adoption of resolution 2414 (2018), he undertook consultations with relevant interlocutors, including Security Council members, members of the Group of Friends on Western Sahara and regional organizations. From 23 June to 1 July 2018, he carried out a second visit to the region, during which he held discussions with a wide range of high-level officials of both the parties and neighbouring States and civil society representatives. Following the visit, and in accordance with resolution 2414 (2018), he briefed the Council on 8 August and announced his intention to invite the parties and the neighbours to direct negotiations before the end of the year. Letters of invitation to an initial round-table meeting in Geneva on 5 and 6 December 2018 were subsequently sent to the parties, on 28 September.

4. Meanwhile, "police" of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) have not been present in the buffer strip in Guerguerat (ibid.7, paras. 3–10) since 22 April 2018. The Secretary-General of Frente POLISARIO, Brahim Ghali, verbally confirmed to my Personal Envoy on 26 June, during their meeting in Rabouni, Algeria, that the withdrawal was

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permanent. In view of that development, in mid-July MINURSO began to draw down its daytime monitoring post in Guerguerat. Regular aerial and ground patrols of the area are being maintained. At the same meeting in June, Mr. Ghali also pledged not to relocate any new administrative installations to Bir Lahlou or Tifariti, in keeping with resolution 2414 (2018).

5. While no major threats to the ceasefire have been recorded to date, MINURSO reported a number of new violations of military agreement No. 1. In all instances of alleged or observed violations, MINURSO engaged with the parties to prevent or resolve the violations. On a number of occasions, it was able to persuade the parties to at least partially restore the status quo ante or to abandon planned actions that could potentially violate military agreement No. 1 or create tensions.

6. Not all allegations raised by the parties were corroborated by the Mission's reconnaissance on the ground. Such instances of alleged or observed violations have occurred once a week on average since the beginning of the year, and the repeated pattern of reduced tensions following the Mission's actions provides evidence of the effectiveness of its role in preventing conflict and in maintaining an environment conducive to the work of my Personal Envoy.

7. Both Morocco and Frente POLISARIO justified some of their activities as being necessary to prevent drug trafficking and other criminal activities. Military agreement No. 1 does not address anti-smuggling or criminal prevention activities by military forces.

8. With respect to paragraph 9 of resolution 2414 (2018), in which the Security Council recognized that fundamental questions related to the ceasefire and related agreements remained and called upon the Secretary-General to interview the parties in an effort to better understand those issues, the Secretariat launched a process of engagement with the parties, seeking written responses regarding their understanding of the ceasefire and related agreements, and views on any aspects of them that might need to be adjusted. In their responses, both parties provided detailed overviews of their understanding of the current ceasefire architecture, including their views on the context and origin of the agreements. The parties shared the view that the current ceasefire architecture had played a central role in stabilizing the situation in Western Sahara. The parties also reaffirmed their commitment to the ceasefire architecture and their adherence to its terms and those of military agreement No. 1. The parties did not see a need for the adjustment of either the ceasefire architecture or military agreement No. 1. However, both parties expressed widely divergent views on their implications and application.

9. During the reporting period, insofar as MINURSO was able to observe, Morocco continued to make considerable investments in infrastructure and economic development projects west of the berm. Morocco maintains that the investments and projects benefit the people of Western Sahara and are implemented in full consultation with them. Frente POLISARIO continues to protest that the investments and development activities, as well as the exploitation of the natural resources of Western Sahara, are in violation of international law and of the status of Western Sahara as a Non-Self-Governing Territory. Frente POLISARIO also claims that all expressions of dissent, especially public pro-referendum or pro-independence demonstrations, by the Sahrawi population west of the berm are systematically and violently repressed by Moroccan security forces.

10. Frustration and anger at the lack of progress in the political process continue to prevail among the general population of the refugee camps near Tindouf, Algeria, compounded by persistent difficulties, such as rising malnutrition, brought about by the steady reductions in humanitarian aid. No significant security incidents were reported in the refugee camps during the reporting period, and, unlike previously,

MINURSO received no reports of major public demonstrations against the political and military leadership.

11. In a letter dated 30 March 2018, King Mohammed VI wrote to me denouncing repeated provocations and violations of the ceasefire and related military agreements by Frente POLISARIO. In his letter, he drew particular attention to the announced intention of Frente POLISARIO to move some of its administrative structures to Bir Lahlou or Tifariti, east of the berm. He defined those intentions as acts aimed at illegally changing the status quo on the ground, which would force Morocco to unilaterally take action to preserve the status of the Territory to the east of the berm. Assurances were later given by Frente POLISARIO that no administrative structures would be moved. Additional letters were received from the Permanent Representative of Morocco to the United Nations complaining about Frente POLISARIO violations east of the berm (see para. 34 below).

12. I also received a letter from the Secretary-General of Frente POLISARIO claiming that, on 19 May, a Sahrawi student at Ibn Zohr University in Agadir, Morocco, had been murdered as a result of the country's policy against the Sahrawi population and that a campaign against peaceful Sahrawi demonstrators had been conducted in Laayoune and Smara during the visit by my Personal Envoy to the Territory.

III. Political activities

13. During the reporting period, my Personal Envoy continued the consultations on the issue of Western Sahara with relevant interlocutors, including members of the Security Council, members of the Group of Friends on Western Sahara and regional organizations. On 10 April, he travelled to Moscow to meet with the Minister for Foreign Affairs and the Deputy Minister for Foreign Affairs of the Russian Federation and brief them on Western Sahara. From 26 to 30 April, he travelled to Rwanda to meet with the Chairpersons of the African Union and of the African Union Commission to exchange views on recent developments in Western Sahara. In May, he travelled to Brussels and briefed the European Parliament Committee on Foreign Affairs. In August, he met with the Deputy Secretary of State and the Assistant to the President for National Security Affairs of the United States of America in Washington, D.C.

14. During his second visit to the region, from 23 June to 1 July 2018, my Personal Envoy travelled to Algiers, Dakhla, Laayoune, Nouakchott, Rabat, Rabouni, Smara and Tindouf. The purpose of the visit was to gain a better understanding of the situation and to discuss with all relevant actors the way forward in the political process, following the six-month extension of the Mission's mandate in accordance with resolution 2414 (2018).

15. In Rabouni, my Personal Envoy met with Mr. Ghali as well as with the negotiation team led by Katri Idoh. Both expressed full support for my Personal Envoy and his mission as well as their serious intention to help to find a solution for Western Sahara. Mr. Ghali confirmed to my Personal Envoy, as a sign of good faith, the withdrawal of Frente POLISARIO from Guerguerat and its commitment not to return or move any institutions to Tifariti or Bir Lahlou. Mr. Ghali, however, expressed concern about the "settlement policy" and new "administrative configuration" of Morocco, which was changing the demographic composition of Western Sahara.

16. In Rabat, my Personal Envoy met with the Prime Minister of Morocco, Saad-Eddine El Othmani, and the Minister of Foreign Affairs and International

Cooperation, Nasser Bourita, and was assured of the full support of Morocco for his work. Mr. Bourita reiterated the call, made in resolution 2414 (2018), for a realistic, practicable and enduring political solution and stressed the commitment of Morocco to its autonomy proposal of 2007, which, in his view, should be the basis for negotiations. The Prime Minister and the Foreign Minister stated that, while tension in Guerguerat had significantly decreased, Morocco was still very concerned about Frente POLISARIO "provocations" east of the berm.

17. In Algiers, my Personal Envoy met with the Prime Minister of Algeria, Ahmed Ouyahia, and the Minister for Foreign Affairs, Abdelkader Messahel. Both reiterated the country's consistent assurances of its full support as a neighbour and stressed the importance of self-determination. While insisting that it was not a party to the conflict and could not take the seat of Frente POLISARIO at the negotiating table, Mr. Messahel announced that Algeria was prepared to step up its role in the political process, as a neighbour, as required by resolution 2414 (2018).

18. In Nouakchott, the President of Mauritania, Mohamed Ould Abdel Aziz, and the Minister for Foreign Affairs, Ismael Ould Cheikh Ahmed, also expressed full support for my Personal Envoy and for the political process. Both emphasized the strong cultural ties that existed between Mauritania and the Sahrawi people. They confirmed that Mauritania was also ready to scale up its engagement in the political process in the hope of putting an end to the conflict. President Ould Abdel Aziz stressed that finding a peaceful solution to the conflict was crucial for the entire region, which was struggling with drug trafficking, extremism and poverty.

19. During the visit, all interlocutors recognized the key role of MINURSO in maintaining the ceasefire and preventing conflict. They noted that withdrawing MINURSO could have a significant impact on the stability of the region and come at a much higher cost to the international community than the Mission's current budget. Frente POLISARIO, Algeria and Mauritania voiced particular concern over the frustration and disillusionment of some of the youths living in the camps.

20. While Frente POLISARIO stressed that it was ready to engage in negotiations and wanted to avoid the drawing-down of MINURSO, it noted that the Mission was hampered in its ability to fulfil its mandate, owing to the lack of human rights monitoring and interaction with the Sahrawi people and the use of Moroccan licence plates. Frente POLISARIO also expressed disappointment with the United Nations for not implementing paragraph 3 of Security Council resolution 2351 (2017) to explore ways to resolve fundamental questions related to the ceasefire, as well as with recent MINURSO reports to the Council, which, they stated, were "incorrect and biased".

21. In Laayoune, Dakhla and Smara, my Personal Envoy met with a large number of locally elected officials. They highlighted developments in the education, health and economic sectors and stated that the people west of the berm were grateful for the support received from Morocco, particularly the $7.7 billion development plan. They noted, however, that it was important to gain clarity on the legal status of Western Sahara, as the current uncertainty hampered foreign investment. While the territory enjoyed stability unlike some of the neighbouring countries in the Sahel zone, they acknowledged that some problems still persisted, such as youth unemployment and a lack of education and health infrastructure.

22. My Personal Envoy also convened meetings in Dakhla and Laayoune with civil society representatives, who presented a wide range of views. Some expressed full support for the Moroccan autonomy plan and urged the United Nations to find a political solution that would allow the people in Tindouf to return to the homeland and benefit from the development seen in the Territory. They expressed gratitude for the financial support provided by Morocco, which had improved infrastructure,

education and health services in the Territory and had increased awareness of human rights.

23. However, other civil society representatives expressed concern about Moroccan-funded development projects in the Territory, claiming that they did not benefit the original Sahrawi population. They stressed that the "elected" officials in the Territory did not represent the Sahrawi people in their entirety, but rather the interests of an elite minority. They expressed frustration over the discriminatory policies imposed on them as Sahrawi activists, which prevented them from gaining access to jobs and economic opportunities and curtailed their freedom to voice political views. Some non-governmental organizations reported serious human rights violations committed by the Moroccan police and expressed concern for their own safety. These non-governmental organizations were unanimous in declaring self-determination to be the only way to resolve the conflict.

24. My Personal Envoy visited a number of development projects financed by Morocco, among them a conference centre and a hospital, as well as a phosphate treatment unit run by the Cherifian Office of Phosphates in Laayoune. He also discussed the socioeconomic development of the Territory with local officials, businesspeople and civil society.

25. In line with paragraph 14 of resolution 2414 (2018), my Personal Envoy briefed the Security Council on 8 August on his mission and his plans for the way forward. Council members had expressed readiness to receive a briefing from my Personal Envoy when deemed appropriate ahead of the renewal of the MINURSO mandate in October. He also informed the Council that he intended to invite the parties and neighbouring States to a first round of direct negotiations in the fourth quarter of the year to build trust and discuss the way forward in the political process. My Personal Envoy received broad support from the Council for his initiative.

26. The Office of my Personal Envoy has been actively engaged in preparatory work for preliminary talks in 2018. This has included discussions with the parties, Security Council members and other interested Member States and regional organizations. Discussions have also been ongoing with United Nations entities and partners, including the United Nations Office at Geneva, the Office of the United Nations High Commissioner for Refugees (UNHCR), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the International Committee of the Red Cross.

27. As announced during his briefing to the Security Council on 8 August, on 28 September my Personal Envoy sent invitations to the parties and immediate neighbours for preliminary talks, to be held in Geneva in December. In the invitation letter, my Personal Envoy requested the parties to respond by 20 October. At the time of reporting, Morocco had positively responded on 2 October to the invitation of my Personal Envoy for the initial round-table meeting in Geneva. On 3 October, Frente POLISARIO also accepted the invitation to attend the initial round-table meeting. I am confident that Algeria and Mauritania will respond favourably.

28. From 24 to 28 September, my Personal Envoy visited New York. On the margins of the annual general debate of the General Assembly at its seventy-third session, he held extensive consultations with the parties and interested Member States in preparation for the preliminary talks.

IV. Activities of the United Nations Mission for the Referendum in Western Sahara

A. Operational activities

29. As at 5 September 2018, the military component of MINURSO consisted of 233 personnel, 29 of whom were female, against the authorized strength of 245. From 1 April to 1 September 2018, MINURSO conducted approximately 392,673 km of ground patrols and 328 air patrols. Cooperation between MINURSO team site commanders and the parties was generally satisfactory. The reporting period included monthly visits to approximately 920 units, headquarters and strongpoints and 28 training areas. Military observers also visited 365 observation posts east and west of the berm and monitored more than 292 notified operational activities by both parties.

30. As indicated above, with the withdrawal since 22 April 2018 of Frente POLISARIO "police" from Guerguerat, as of mid-July the Mission's temporary observation post, established in August 2016, had begun to reduce its daily presence, and it will continue to monitor the area through regular ground and air patrols. This will reduce the burden on the MINURSO military component by removing the need to dedicate a team the size of an average team site to this task within the authorized strength. MINURSO will, nonetheless, remain ready to resume a daily presence at short notice should developments in the area require it.

31. Owing to security concerns, ground patrolling east of the berm remains restricted to a 100 km radius from team sites, and no night patrols are conducted on either side of the berm. The General Assembly approved funding in the MINURSO budget for financial year 2018/19 for the Mission's proposed acquisition of protective bunkers for all team sites east of the berm, which will contribute significantly to the existing protection of military observers in those areas, consistent with the recommendations set out in the report entitled "Improving security of United Nations peacekeepers: we need to change the way we are doing business", of 19 December 2017.

32. During the reporting period, MINURSO recorded six violations of military agreement No. 1 by the Royal Moroccan Army, in addition to 10 long-standing violations (ibid., para. 37). Two of those violations were general in nature, three consisted of what military agreement No. 1 defines as "tactical reinforcements" and one was a freedom-of-movement violation.

33. MINURSO recorded 13 general violations of military agreement No. 1 by Frente POLISARIO, 1 tactical reinforcement and 12 freedom-of-movement violations. The number of freedom-of-movement violations has significantly increased since the issuance of my previous report (ibid., para. 38), in addition to the three long-standing violations referred to in the same report.

34. In late March 2018, a MINURSO ground patrol observed that the Royal Moroccan Army was rebuilding a sand wall established in 1987 near Mahbas. The Royal Moroccan Army had requested permission for the work in February, April and June 2017, with MINURSO denying all three requests and noting that rebuilding a previously existing wall would constitute a reinforcement in violation of military agreement No. 1. MINURSO found that a new and larger wall (3–4 metres high and 8–10 metres wide) was being built on top of an existing one of a height of 1 to 1.5 metres high, along a course of 63.8 km running north to south in parallel to the berm. They also observed several new observation posts, as well as four gates in the wall enabling access between units located close to the berm.

35. In April 2018, the violations working group of MINURSO assessed the situation, ruling that the new sand wall constituted a violation of military agreement No. 1. The Royal Moroccan Army notified MINURSO of its intention to remove all observation posts close to the newly established sand wall while retaining the four gates, proposing to maintain a presence of four unarmed soldiers at each gate. The Royal Moroccan Army asserts that the reinforced wall and the new installations are needed to enhance its capacity to prevent drug smuggling and other criminal activities. It also argues that the work constitutes the rehabilitation of an existing structure and, as such, is not a violation; however, military agreement No. 1 does not provide for any exemption for the rehabilitation of existing structures.

36. In late May 2018, MINURSO discovered 13 new Royal Moroccan Army observation posts at a distance of approximately 15 km from the berm in Bir Gandouz, in the southern part of the Territory. The matter was referred to the violations working group, which ruled that the posts constituted a violation of military agreement No. 1. Further ground patrols have discovered 10 additional new observation posts in nearby locations, which at the time of reporting remained under consideration by the violations working group.

37. Shortly after the start of the crisis in Guerguerat in 2016, Frente POLISARIO established four small military positions inside the buffer strip, approximately 20 km south-east of Guerguerat, which were declared violations by MINURSO. After receiving notification from the Force Commander, Frente POLISARIO withdrew from three of those locations, maintaining a small military presence at the "waypoint 6" position (16.6 km east of the Guerguerat road and 4 km south of the berm), which remains a violation. Frente POLISARIO disputes that the post is inside the buffer strip and justifies maintaining it on the basis of its need to continue to monitor developments in Guerguerat and maintain readiness to react should Morocco decide to resume work on the road inside the buffer strip. MINURSO has called on Frente POLISARIO several times to remove the post from the buffer strip.

38. On 24 March 2018, Frente POLISARIO notified MINURSO of its intention to establish nine new military posts near Bir Lahlou, east of the berm, justifying them as needed to respond to increased drug trafficking in the area. MINURSO immediately conducted a reconnaissance of the proposed new positions and, on 27 March 2018, wrote to Frente POLISARIO, warning that the proposed new posts would be a violation of military agreement No. 1. On 3 May 2018, MINURSO received a second notification, proposing only six new observation posts. After a second reconnaissance, on 5 May 2018 MINURSO wrote to Frente POLISARIO, warning that the proposed new posts would also violate the terms of military agreement No. 1. To date, no work has been done to establish any new posts, but MINURSO continues to monitor these locations.

39. Over the course of the reporting period, Morocco provided MINURSO and the Secretariat with various satellite photographs of alleged construction activities east of the berm, which, they suggest, may be in violation of the ceasefire or military agreement No. 1. MINURSO has reconnoitred the areas in question and, in seven cases, found that they did not constitute violations. In another eight cases, including the one in Bir Lahlou mentioned above, investigations are ongoing.

40. The Minister of Foreign Affairs and International Cooperation of Morocco, during a meeting held in New York on 4 April, protested to me about the planned new positions, calling on MINURSO to condemn them as a violation of military agreement No. 1. He also warned that Morocco would not tolerate such actions by Frente POLISARIO, which would have to take full responsibility for any consequences. The complaint was reiterated in letters from the Permanent Representative of Morocco to my Under-Secretary-General for Peacekeeping Operations.

41. On 26 June 2018, the Secretary-General of Frente POLISARIO provided my Personal Envoy with assurances of his intention not to move administrative structures to the Territory, in compliance with resolution 2414 (2018). However, in early May 2018 MINURSO confirmed that a large, single-storey structure was being built near Tifariti, consisting of approximately 36 rooms. The local Frente POLISARIO military representative informed MINURSO military observers that the building was a civilian structure. Access to MINURSO was, however, denied by Frente POLISARIO military personnel guarding the facility. Several subsequent requests for access to the site have also been denied, and the issue has been referred to the violations working group as a freedom-of-movement violation. At this stage, the building is not in use, and it has not been possible to determine its intended function.

42. On 20 May 2018, Frente POLISARIO organized a series of events, including a military parade, in Tifariti to commemorate the forty-fifth anniversary of its founding. MINURSO military observers reported that the preparatory work for the military parade had started approximately 10 days before the event. On 18 May, the MINURSO Force Commander wrote to Frente POLISARIO, warning that participation in the parade by military personnel normally stationed outside the Tifariti military region might constitute a violation of military agreement No. 1. Frente POLISARIO offered assurances that no military personnel or equipment would be brought from other regions or from Rabouni for the parade and celebrations.

43. The parade eventually involved approximately 700 uniformed elements, including cadets, as well as military vehicles and equipment. Prior to the event, the Permanent Representative of Morocco wrote to me denouncing the planned military parade as a violation of military agreement No. 1, a provocation and a destabilizing action violating resolution 2414 (2018). He demanded that MINURSO intervene with Frente POLISARIO to demand that it refrain from the activity. In June 2018, the Mission's violations working group ruled that, although the concentration of troops was in the area of limited restriction, in view of the purely ceremonial and temporary nature of the event, it was not a violation of military agreement No. 1. Frente POLISARIO troops were observed departing from the parade area starting on 21 May 2018.

44. MINURSO also observed two demonstrations by Sahrawi civilians inside the buffer strip close to the berm, both of which the Royal Moroccan Army denounced as provocations in violation of the ceasefire agreements. They were not assessed as violations of military agreement No. 1, as they were civilian in nature.

B. Mine action

45. Landmines and other explosive remnants of war continue to pose a threat to MINURSO personnel and logistical convoys. As at 1 September 2018, 48 known cluster strike areas and 26 known minefields remained to be addressed east of the berm. The Mission's Mine Action Coordination Centre, operated by the United Nations Mine Action Service, continues to function from Tindouf.

46. East of the berm, the Mine Action Coordination Centre conducted survey and clearance of 2,086,639 m^2 of land contaminated by landmines and explosive remnants of war, releasing 41 medium- and high-priority cluster strike areas and one minefield. A total of 59,320m^2, equivalent to 7.4 km, of mission patrol and logistic routes have been verified east of the berm, facilitating the movements of MINURSO military observers. A total of 458 items of explosive remnants of war were destroyed, consisting of 336 submunitions and 122 other explosive remnants of war. The Centre conducted landmine safety training for 42 newly arrived civilian and military personnel of MINURSO and five landmine safety refresher training sessions for 37

personnel. The Centre also conducted 33 quality assurance assessments of its operations. Frente POLISARIO destroyed a stockpile of 2,500 anti-personnel mines in compliance with Geneva Call's Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action, signed in 2005. The last phase of anti-personnel mine stockpile destruction is planned for November 2018, whereby Frente POLISARIO will have destroyed all of its declared anti-personnel mine stockpile.

47. The Mine Action Coordination Centre, through its local partner east of the berm, the Sahrawi Mine Action Coordination Office, remains in contact with Frente POLISARIO on matters related to mine action to better ascertain the impact of landmines and other explosive remnants of war in Western Sahara. The Centre also continues to provide technical assistance to the Office in the areas of operations, data management, administration and finance.

48. Since April 2018, west of the berm, the Royal Moroccan Army has reported one injury to military personnel due to an accident related to landmines or explosive remnants of war. The Royal Moroccan Army reported the clearance of more than 84 million m^2 of land west of the berm and the destruction of 344 items, consisting of 268 items of unexploded ordnance, 74 anti-personnel mines and 2 anti-vehicle mines.

C. Security

49. The general threat assessment conducted by MINURSO as part of the broader 2018 security risk management concept identified a moderate security level for all zones in the Mission's area of responsibility. The highest threat level remains in the areas east of the berm, owing to previous explicit threats from extremist elements in the Sahel. MINURSO continues to employ mitigation measures in line with a security risk mitigation priority list established in February 2017. Remaining measures and additional improvements will be implemented during the 2018/19 financial year, with emphasis placed on team sites located east of the berm.

D. Substantive civilian activities

50. From 28 June to 1 July 2018, MINURSO provided substantive and logistical support for the visit of my Personal Envoy to Western Sahara, as well as for his visit to Rabouni to meet with Frente POLISARIO authorities.

51. Frente POLISARIO has yet to agree to officially receiving my Special Representative at its headquarters in Rabouni, in accordance with long-established practice. Frente POLISARIO insists that the meeting be held in the Territory of Western Sahara, although meetings with other senior officials continue to take place in Rabouni. On 18 April, I wrote to Secretary-General Ghali requesting him to resume the accepted practice, but as yet there has been no change in its position. This situation represents a significant obstacle to the relationship between MINURSO and Frente POLISARIO, which is currently limited to telephone and written contacts between my Special Representative and the Frente POLISARIO coordinator. Day-to-day working-level contacts continue to be managed by the Mission's liaison office in Tindouf, while my Special Representative has met with the Frente POLISARIO coordinator on one occasion outside the Mission area. Since the beginning of 2018, Frente POLISARIO has demanded that all meetings with the MINURSO Force Commander also take place in the Territory, with the effect that all senior military contacts with Frente POLISARIO are also stalled.

52. Frente POLISARIO argues that MINURSO regularly meets with the Moroccan coordinator in Laayoune and should, therefore, be free to meet with Frente POLISARIO inside the Territory. That position is part of a broader request by Frente POLISARIO for equal treatment with Morocco as a party to the conflict. The Moroccan authorities argue that any meetings held by MINURSO in the Territory with any representatives of Frente POLISARIO, who are normally based in Rabouni, would constitute a recognition of Frente POLISARIO control over the Territory east of the berm, which Morocco denies, as well as an implicit and unacceptable recognition of the "Sahrawi Arab Democratic Republic".

53. Within the constraints imposed by the lack of access to local interlocutors west of the berm, MINURSO continued to provide regular reporting and analysis to the Secretariat on developments in and affecting Western Sahara. To improve situational awareness and coordination between its substantive civilian and military components, MINURSO introduced a new joint mission analysis structure, which brings civilian and military analysts together on a daily basis to combine their assessments and ensure follow-up. The Mission also started to implement the United Nations situational awareness programme and continued to receive regular visits by representatives of Member States.

54. With the exception of the obstacles highlighted above with regard to interaction between my Special Representative and Frente POLISARIO, the Mission's access to civil society and other relevant interlocutors east of the berm and in the refugee camps near Tindouf remained unhindered.

E. Challenges to the operations of the Mission

55. As previously reported (ibid., paras. 52–54), the diverging interpretations by the parties of the MINURSO mandate continue to pose a major challenge to the Mission's operations, which frequently lead to vocal and systematic criticism of its activities. In particular, the Mission's press releases and statements are met with negative responses by the parties, each trying to ensure that its vision of the MINURSO mandate and the status of the conflict and of the Territory are fully reflected. More recently, the Mission's prerogative to issue public statements has been questioned.

56. The Mission's lack of access to interlocutors continues to limit its ability to form an independent assessment of the situation in Western Sahara west of the berm. The perception of the Mission's impartiality also remains affected by the requirement by Morocco that MINURSO use Moroccan vehicle number plates west of the berm (ibid., para. 57).

57. Security remains the highest concern for the operation of MINURSO, especially with respect to the Mission's ground patrols and resupply convoys travelling through the desert areas east of the berm. MINURSO has full confidence in the commitment of Frente POLISARIO to protecting MINURSO static team sites, but the nature of the extremist threat from other points in the Sahel, and risks to patrols away from team sites, remain a concern. The General Assembly approved funding for MINURSO to acquire a third helicopter in the second half of the year, which will allow for more frequent aerial reconnaissance in advance of logistics convoys and the replacement of ground patrols in remote and at-risk areas.

V. Humanitarian activities and human rights

A. Persons unaccounted for in the conflict

58. The International Committee of the Red Cross continued, as a neutral intermediary, to seek opportunities to enhance dialogue and facilitate the exchange of information between the parties, in respect of individuals who are still unaccounted for in relation to past hostilities.

B. Assistance to the protection of Western Saharan refugees

59. UNHCR continued to provide international protection and, together with the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP), continued to provide humanitarian assistance to Sahrawi refugees living in the five camps near Tindouf. For planning purposes, a multi-agency vulnerability assessment is currently under way.

60. WFP continued to cover the refugees' basic food and nutrition needs through the monthly distribution of 125,000 basic food rations. In March 2018, a food security assessment was conducted to determine the level of food insecurity among the refugee population and will inform future planning for general food assistance. Malnutrition and anaemia prevalence remained public health concerns. UNHCR and WFP continued to work closely together on the prevention and treatment of anaemia, stunting and malnutrition among pregnant and lactating women, girls and young children. WFP provided mid-morning snacks to more than 41,000 boys and girls in primary schools and kindergartens to encourage attendance and retention. To contribute to resilience and improve food security, WFP scaled up its hydroponic project to produce fresh animal fodder and initiated a fish farm project.

61. UNICEF is also present in the camps and provides support in maternal and child health programmes, including support for the expanded programme of immunization, child protection and education activities.

62. The main challenge for humanitarian actors remained the funding shortfall. In May 2018, the three agencies, along with 11 international non-governmental organizations, launched an appeal for $137 million to support essential lifesaving activities in the biennium 2018–2019. United Nations agencies have so far received only 41 per cent of the required budget, with UNHCR being the lowest-funded (12 per cent). Owing to chronic underfunding, UNHCR also struggled to meet international standards in the areas of protection, shelter, health, education, energy provision and livelihoods. In addition, UNHCR could provide an average of only 10 litres of drinking water per person per day, which is half of the minimum standard of 20 litres per person per day.

C. Confidence-building measures

63. The confidence-building measures, pursuant to Security Council resolution 1282 (1999) and subsequent resolutions, to allow family links between Sahrawi refugees in the Tindouf camps and their communities of origin in the Territory of Western Sahara remain on hold.

D. Human rights

64. During the reporting period, OHCHR[1] received a number of reports alleging that demonstrators had been forcibly dispersed during protests related to the right to self-determination, the disposal of natural wealth and resources and the rights of detainees.

65. OHCHR continues to receive reports alleging lack of accountability for human rights violations perpetrated against Sahrawis, including arbitrary arrest, torture and ill-treatment. As at 15 August 2018, a national preventive mechanism had yet to be established as envisaged in the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, ratified in 2014 (ibid., para. 65).

66. OHCHR continues to be concerned by reports of alleged excessive surveillance operations targeting human rights defenders and journalists, particularly those located in Western Sahara. The Moroccan authorities continue to restrict access to Western Sahara for foreign visitors, including journalists and lawyers from Morocco.[2]

67. In its concluding observations of July 2018 on the fourth periodic report of Algeria, the Human Rights Committee, reviewing compliance with the International Covenant on Civil and Political Rights, raised concern about the "de facto devolution of authority to the Frente POLISARIO, especially jurisdictional authority", in the camps at Tindouf, and about the reports that, as a result, victims of violations of provisions of the Covenant in the camps do not have access to an effective remedy in the State party's courts (see CCPR/C/DZA/CO/4, para. 9).

VI. African Union

68. At its thirty-first session, held in Nouakchott on 1 and 2 July 2018, the Assembly of the African Union considered a report prepared by the Chairperson of the African Union Commission on the issue of Western Sahara and, in its decision 693 (XXXI), decided to establish an African mechanism, comprising the Troika of the African Union[3] as well as the Chairperson of the Commission, to support the United Nations-led efforts and to report regularly on the implementation of its mandate to the Assembly and, as necessary, the Peace and Security Council of the African Union at the level of Heads of State and Government. It also decided that the issue of Western Sahara would be raised only within that framework and at that level. In the same decision, the Assembly requested the Chairperson of the Commission to initiate the required consultations for the reactivation of the African Union Office to MINURSO in Laayoune and appealed to African Union member States to support the United Nations-led efforts. Further to a request by the Chairperson of the Commission, the decision was brought to the attention of the United Nations Security Council on 7 August 2018.

[1] Gaps in human rights reporting persist, owing to the limited monitoring capacity of OHCHR. OHCHR was able to conduct four assessment missions in Western Sahara, in 2006, 2014 and 2015. In its resolution 2414 (2018), the Security Council encouraged enhanced cooperation with OHCHR, including through facilitating visits to the region.

[2] In December 2016, the Human Rights Committee recommended that Morocco ensure that any breach of privacy was in keeping with the principles of legality, proportionality and necessity (see CCPR/C/MAR/CO/6, para. 38).

[3] The Troika is composed of the outgoing, the current and the incoming Chairpersons of the African Union.

VII. Financial aspects

69. The General Assembly, by its resolution 72/301 and decision 72/558 of 5 July 2018, appropriated the amount of $52.4 million gross for the maintenance of MINURSO for the period from 1 July 2018 to 30 June 2019. Should the Security Council decide to extend the Mission's mandate beyond 31 October 2018, the cost of maintaining the Mission would be limited to the amounts approved by the Assembly.

70. As at 11 September 2018, unpaid assessed contributions to the Special Account for MINURSO amounted to $50.9 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $2,628.2 million.

71. Reimbursement of troop costs has been made for the period up to 31 October 2017, while reimbursement of the costs of contingent-owned major equipment and self-sustainment has been made for the period up to 30 September 2017, in accordance with the quarterly payment schedule.

VIII. Independent review of the United Nations Mission for the Referendum in Western Sahara

72. In line with my request to initiate a comprehensive review of peacekeeping operations, a review of MINURSO was undertaken during the reporting period to examine how the Mission could best respond to the challenges it faces. The review was led by an independent external expert, Diane Corner, former Deputy Special Representative of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic. Ms. Corner was supported by a team comprising representatives from the Department of Peacekeeping Operations and from the Department of Field Support. The MINURSO review team held consultations with stakeholders at Headquarters, and also meetings in New York with the Permanent Representative of Morocco and with the Representative of Frente POLISARIO. The team travelled to the Mission area from 16 to 22 June 2018 to assess the work of MINURSO, including through field visits to team sites both east and west of the berm and to the Mission's liaison office in Tindouf.

73. The review determined that currently, MINURSO performs three decisive conflict prevention functions. First, it prevents ceasefire-related incidents from escalating, in an environment where there are no direct contacts between the two sides, both of which rely on MINURSO to adjudicate their various allegations. Second, MINURSO ensures that the situation on the ground supports the efforts of my Personal Envoy to revive the political process. Third, the Mission's presence contributes to the maintenance of regional stability in the Maghreb.

74. The review found that there is significant scope for technical improvement in the Mission's ability to carry out monitoring and conflict mitigation activities, observing that the extensive use of largely predictable and repetitive ground patrols does not optimize the Mission's resources. It was felt that attempts to achieve full theatre awareness of some 2,500 km of berm are unrealistic and that the military component should define its output less in terms of quantity and more in terms of quality. To achieve such improvements, the consent of the parties would be required.

75. The review also noted the importance of restarting the currently suspended UNHCR-led programme of confidence-building measures as a significant instrument in supporting the peace process. The review also commended the MINURSO mine action programme, noting that every effort should be made to persuade the parties that demining and the removal of explosive remnants of war should be expanded and

strengthened. The review also expressed some reservations with regard to certain administrative requirements placed on MINURSO operations, among them the insistence of Morocco that MINURSO vehicles bear Moroccan rather than United Nations licence plates and that passports be stamped in Laayoune.

IX. Observations and recommendations

76. I am encouraged that the parties, despite occasional violations and tensions, continue to maintain the ceasefire and generally observe related military agreements. I am concerned, however, about the rise in tension between the parties and increasingly uncompromising rhetoric. Maintaining peaceful and stable conditions on the ground is essential to providing a climate for the resumption of the political process. I call on the parties to continue engaging with the Mission to resolve the remaining long-standing and recent violations, in full respect for the Mission's mandate, the ceasefire and related military agreements.

77. My Personal Envoy's visit to the region allowed him to further improve his understanding of the current situation in Western Sahara. The commitment of Frente POLISARIO not to go back to Guerguerat and not to move new institutions to the area east of the berm are positive developments and demonstrate its readiness to come back to the negotiating table. Algeria and Mauritania have both confirmed their readiness to take on a more active role in the negotiating process. The willingness on the part of Morocco to facilitate the visit to Western Sahara is also an encouraging sign.

78. I urge the parties and the neighbours to respond positively to the invitation of my Personal Envoy to come to the negotiating table in good faith and without preconditions. I also call on Security Council members, friends of Western Sahara and other relevant actors to encourage the parties and the neighbours to accept the invitation of my Personal Envoy.

79. I am concerned by the disruption in the relationship between MINURSO and Frente POLISARIO, which prevents my Special Representative and the Force Commander from meeting with their counterparts. I therefore call once again on Frente POLISARIO to resume the meetings with senior MINURSO leadership in Rabouni, in accordance with the long-established practice.

80. The Mission's role is predicated on its ability to impartially and independently fulfil the mandate set forth by the Security Council, and I call on the parties to fully respect that independence. I also call on the Security Council to support the Mission in that respect.

81. MINURSO continues to rely on unarmed military observers to implement its ceasefire monitoring tasks. I remain deeply concerned about the security and safety of MINURSO personnel in Western Sahara, who remain extremely vulnerable to a variety of threats, especially from criminal and terrorist groups, particularly east of the berm. I am grateful for the support of the Security Council and the General Assembly for the Mission's efforts to improve its security resources, and seek the continued support of Member States in that respect.

82. Following the independent review, I look forward to the implementation of measures in close cooperation with the parties to increase the Mission's operational effectiveness, including by modernizing its approach to monitoring and observation tasks and making the best use of innovative techniques and new technologies, with a view to making the MINURSO military monitoring operation more effective and leaner. Such measures would be aimed at, inter alia, enhancing early warning, ensuring better compliance with the ceasefire agreement, timely investigation of

allegations of violations of the ceasefire and engagement at flashpoints to defuse tensions and prevent escalation.

83. I note the number of female personnel in the MINURSO military component, and I call on troop-contributing countries to support MINURSO in its efforts to achieve greater gender balance.

84. I call for the full and sustained support of the parties to ensure the implementation of technical improvements to the Mission's ability to carry out its mandate, following the independent review. I also invite the Security Council and other Member States to encourage the parties to resume the UNHCR-led programme of confidence-building measures.

85. As noted in paragraph 7 above regarding paragraph 9 of Security Council resolution 2414 (2018), the two parties hold divergent views on questions related to the ceasefire and related agreements, and neither has expressed an interest in making adjustments.

86. MINURSO remains a core element of the United Nations effort to reach a just, durable and mutually acceptable political solution to the conflict in Western Sahara that will provide for the self-determination of the people of Western Sahara. MINURSO has consistently proved to be an effective conflict prevention tool since its inception in 1991, a period that has seen no exchanges of fire between the parties. The Mission's mediation efforts have proved to be successful in de-escalating serious tensions, in resolving potential violations of the military agreements and in maintaining the parties' confidence in the ceasefire arrangements. Notwithstanding its constraints and limited resources, the Mission successfully keeps the Secretariat and the Security Council informed of developments in and related to Western Sahara and supports regional stability. The role of MINURSO has been critical to allow for my Personal Envoy, through intensive efforts over the past six months, to make notable progress towards a political solution to the question of Western Sahara. I therefore recommend that the Council extend the mandate of MINURSO for one year, until 31 October 2019, to give my Personal Envoy the space and time for his efforts to create the conditions necessary for the political process to move ahead.

87. I once again note with great concern the lack of funding for humanitarian assistance despite increasing needs. I therefore call upon the international community to continue its support for humanitarian programming.

88. A lack of communication between the people living on both sides of the berm and misperceptions regarding the reality of life on the other side were apparent during the mission of my Personal Envoy. I therefore encourage the people living in Western Sahara to open communication channels with their relatives on different sides of the berm, to build confidence and develop ideas for a peaceful future.

89. I urge the parties to respect and promote human rights, including in addressing outstanding human rights issues and enhancing cooperation with OHCHR and the United Nations human rights mechanisms, and to facilitate their follow-up missions. Independent, impartial, comprehensive and sustained monitoring of the human rights situation is necessary to ensure the protection of all people in Western Sahara.

90. I thank my Personal Envoy for Western Sahara, Horst Koehler, for his continuing efforts. I also thank my Special Representative for Western Sahara and Head of MINURSO, Colin Stewart, and Major General Wang Xiaojun for their dedicated leadership of MINURSO. Finally, I thank the men and women of MINURSO for their continued commitment, under difficult and challenging circumstances, to fulfilling the Mission's mandate.

Annex I

United Nations Mission for the Referendum in Western Sahara

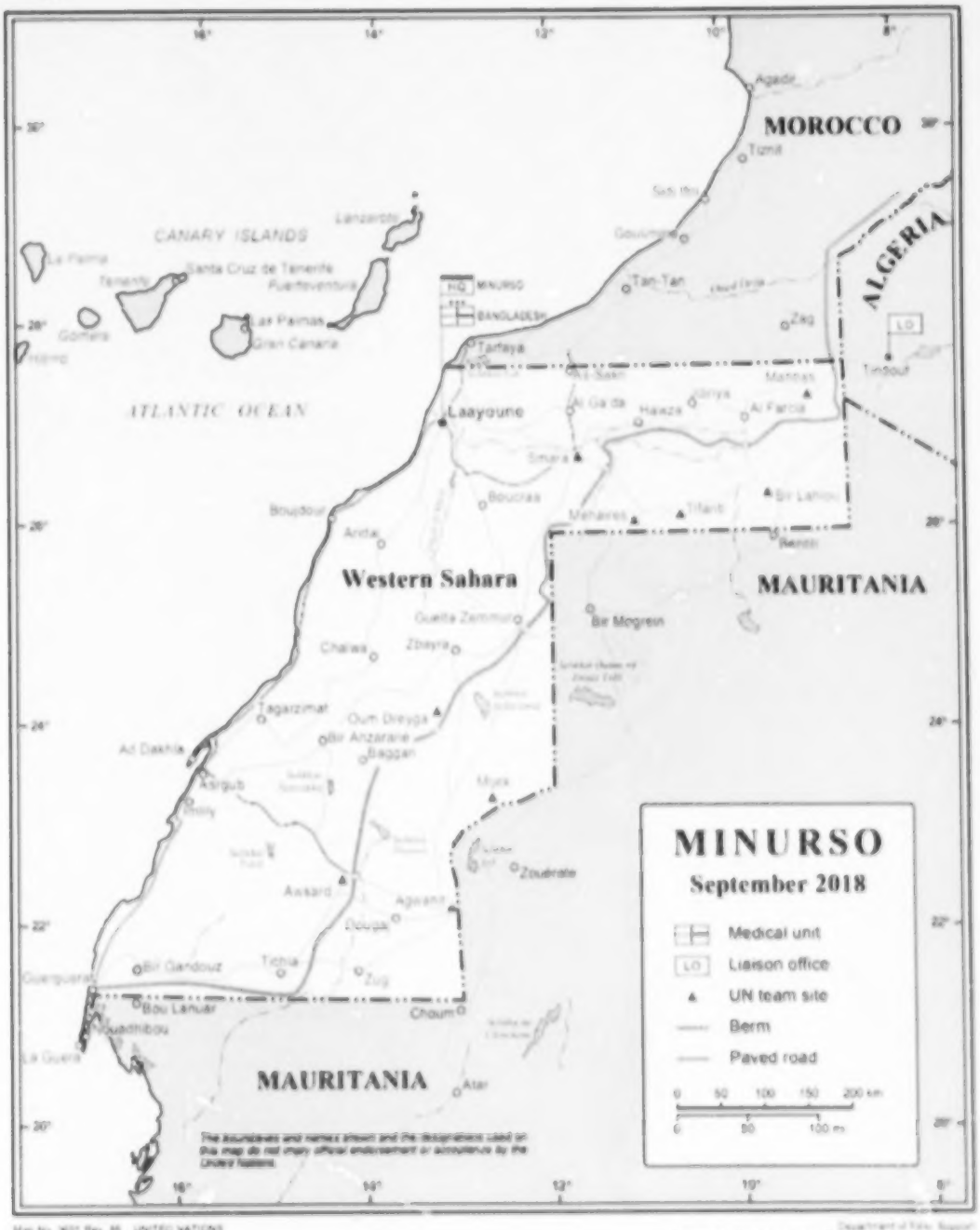
Contributions as at 5 September 2018

Country	*Military observers*[a]	*Troops*[a]	*Civilian police*[b]	*Total*
Argentina	2	–	–	2
Austria	5	–	–	5
Bangladesh	8	20	–	28
Brazil	10	–	–	10
Bhutan	2	–	–	2
China	12	–	–	12
Croatia	7	–	–	7
Djibouti	2	–	–	2
Ecuador	4	–	–	4
Egypt	17	–	–	17
El Salvador	1	–	–	1
France	2	–	–	2
Germany	3	–	–	3
Ghana	8	7	–	15
Guinea	5	–	–	5
Honduras	12	–	–	12
Hungary	6	–	–	6
India	3	–	–	3
Indonesia	3	–	–	3
Ireland	3	–	–	3
Italy	2	–	–	2
Jordan	2	–	–	2
Kazakhstan	5	–	–	5
Malawi	3	–	–	3
Malaysia	5	–	–	5
Mexico	4	–	–	4
Mongolia	1	–	–	1
Montenegro	2	–	–	2
Nepal	5	–	–	5
Nigeria	6	–	–	6
Pakistan	14	–	–	14
Poland	2	–	–	2
Portugal	–	–	1	1
Republic of Korea	5	–	–	5
Russian Federation	15	–	–	15
Sri Lanka	4	–	–	4
Sweden	2	–	–	2
Switzerland	2	–	–	2
Togo	2	–	–	2
Total	**196**	**27**	**1**	**224**

[a] Authorized strength is 246, including the Force Commander.
[b] Authorized strength is 12.
[c] Actual strength on the ground, for military and civilian police, including the Force Commander.

Annex II

Map


MOROCCO
ALGERIA
MAURITANIA
Western Sahara
MAURITANIA
CANARY ISLANDS
ATLANTIC OCEAN
Agadir
Tiznit
Sidi Ifni
Guelmim
Tan-Tan
Zag
Tindouf
Tarfaya
Laayoune
Smara
Bir Lahlou
Mahbes
Bir Mogrein
Boujdour
Aousserd
Dakhla
Chalwa
Zbeyra
Guelta Zemmur
Tagarzimat
Oum Dreyga
Bir Anzarane
Baggari
Ad Dakhla
Asirgub
Mijek
Zouerate
Awsard
Agueinit
Bir Gandouz
Tichla
Zug
Bou Lanuar
Choum
Ouadhibou
La Guera
Atar
HQ MINURSO
BANGLADESH
LO
Liaison office
MINURSO
September 2018
Medical unit
UN team site
Berm
Paved road
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.